Amendments to the Claims

This list of claims replaces all prior claim listings.

List of Claims

1. (currently amended) An isolated promoter comprising the following DNA (a) or (b), characterized in that said promoter is capable of functioning in plant cells:
   (a) DNA comprising the nucleotide sequence shown in SEQ ID NO:1, or
   (b) DNA having promoter functions equivalent to those of the above DNA (a) and comprising a modified nucleotide sequence in which one or more bases are deleted, substituted, or added in the nucleotide sequence shown in SEQ ID NO:1, and wherein:
      (i) said modified nucleotide sequence has more than 90% identity to the nucleotide sequence of any region consisting of 250 bp or more within the nucleotide sequence shown in SEQ ID NO:1,
      (ii) said modified nucleotide sequence contains the nucleotide sequence shown in SEQ ID NO:24, and
      (iii) said modified nucleotide sequence hybridizes to the nucleotide sequence shown in SEQ ID NO:1 under conditions that include washing in 300 mM sodium chloride, 30 mM sodium citrate, and 1% SDS at 55°C.

2. cancelled.

3. (previously presented) A chimeric gene comprising the isolated promoter of claim 1 and a desired coding sequence operatively linked to each other.

4. (previously presented) A chimeric gene comprising the isolated promoter of claim 1, a desired coding sequence, and a terminator that is capable of functioning in plant cells operatively linked to each other.

5. cancelled.

6. (previously presented) A vector comprising the promoter of claim 1 and a desired coding sequence.

7. (previously presented) A vector comprising the promoter of claim 1, a desired coding sequence, and a terminator that is capable of functioning in plant cells.

8. (canceled)

9. (canceled)

10. (canceled)

11. cancelled.

12. cancelled.

13. (previously presented) An isolated promoter capable of functioning in plant cells in accordance with claim 1, wherein the promoter comprises the DNA (a).

14. (previously presented) An isolated promoter capable of functioning in plant cells in accordance with claim 1, wherein the promoter comprises the DNA (b).

15. (previously presented) A vector comprising the isolated promoter according to claim 1.

16. (previously presented) An isolated promoter comprising the following DNA (a) or (b), and characterized in that said promoter is capable of functioning in plant cells:

(a) DNA comprising the nucleotide sequence shown in SEQ ID NO:1, or

(b) DNA having promoter functions equivalent to those of the above DNA (a) and comprising a modified nucleotide sequence in which one or

more bases are deleted, substituted, or added in the nucleotide sequence shown in SEQ ID NO:1, and wherein:

(i) said modified nucleotide sequence contains the nucleotide sequence shown in SEQ ID NO:24, and

(ii) said modified nucleotide sequence hybridizes to the nucleotide sequence shown in SEQ ID NO:1 under conditions that include washing in 300 mM sodium chloride, 30 mM sodium citrate, and 1% SDS at 55°C.

17. (new) A method of producing a transformant comprising introducing into a host cell any one of: a) the promoter of claim 1; b) the chimeric gene of claim 3 or 4; or the vector of claim 6 or 15.

18. (new) A non-human transformant comprising any one of: a) the promoter of claim 1; b) the chimeric gene of claim 3 or 4; or the vector of claim 6 or 15.

19. (new) The transformant of claim 18 wherein the host cell is a microbial cell or a plant cell.

20. (new) A chimeric gene comprising the isolated promoter of claim 16 and a desired coding sequence operatively linked to each other.

21. (new) A chimeric gene comprising the isolated promoter of claim 16, a desired coding sequence, and a terminator that is capable of functioning in plant cells operatively linked to each other.

22. (new) A vector comprising the promoter of claim 16 and a desired coding sequence.

23. (new) A vector comprising the promoter of claim 16, a desired coding sequence, and a terminator that is capable of functioning in plant cells.

24. (new) An isolated promoter capable of functioning in plant cells in accordance with claim 16, wherein the promoter comprises the DNA (b).

25. (new) A vector comprising the isolated promoter according to claim 16.

26. (new) A method of producing a transformant comprising introducing into a host cell any one of: a) the promoter of claim 16; b) the chimeric gene of claim 20 or 21; or the vector of claim 22 or 25.

27. (new) A non-human transformant comprising any one of: a) the promoter of claim 16; b) the chimeric gene of claim 20 or 21; or the vector of claim 22 or 25.

28. (new) The transformant of claim 27 wherein the host cell is a microbial cell or a plant cell.